

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLAND ADAMS,

Defendant.

CR. NO. S-02-0560 EJG

ORDER DENYING MOTION  
RECONSIDERATION

CR. NO. S-02-0560 EJD

ORDER DENYING MOTION FOR  
RECONSIDERATION

Defendant has filed a motion for reconsideration of this court's April 30, 2008 order denying his motion for judgment on his second motion for new trial. Despite defendant's protestations to the contrary, the second motion for new trial, whether opposed or not, is mooted by the court's denial of the first motion for new trial. Defendant cannot continue to file successive motions raising the same issues merely because he dislikes the outcome of the rulings on the original motions. The same is true for motions for reconsideration. They require a change in law or fact. In any event, defendant's pending appeal of the orders denying motions for new trial and denying motions to vacate, set aside or correct sentence, divest this court of jurisdiction to consider the instant motion.

IT IS SO ORDERED.

Dated: May 23, 2008

/s/ Edward J. Garcia  
EDWARD J. GARCIA, JUDGE  
UNITED STATES DISTRICT COURT